

Tiers of Scrutiny Chart

	Burden of Proof (on whom?) OR is the law presumed to be constitutional or not?	Government (state) Interest (how strong?)	Legal Standard (tailoring)	Types of Cases
Strict Scrutiny			Narrowly tailored to meet government interest (as few unintended consequences as possible)	
Intermediate Scrutiny			Substantially related to government interest	
Rational Basis			Reasonably related to the government interest	

Now, using the information on the chart, determine what level of scrutiny the court would use in making a decision about this issue. Then, apply the test and decide within your group whether or not the law is constitutional. What would you rule if you were on the court?

- 1) Rejecting an eighty-five pound woman from admission to the firefighter's academy

- 2) Requiring drivers over age seventy-five to take an annual driver's exam

- 3) Requiring male drivers under age twenty-five to take an annual driver's exam

- 4) Disqualifying a female student in a public high school from participating on the boys' wrestling team

- 5) Refusing to put elevators in the county courthouse

- 6) Barring the children of undocumented immigrants from public schools

